

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. George Garland Latham

Docket No. 5:11-CR-303-1F

Petition for Action on Conditions of Pretrial Release

COMES NOW Scott Plaster, probation officer of the court, presenting an official report upon the conduct of defendant, George Garland Latham, who was placed under pretrial release supervision by the Honorable William A. Webb, U.S. Magistrate Judge, sitting in the Court at Raleigh, NC, on the 20th day of October, 2011, under the following conditions:

- Report to the probation office or supervising officer as directed.
- Surrender any passport to the United States Probation Office.
- Obtain no passport.

The defendant appeared before Honorable James C. Fox, Senior U.S. District Judge, for arraignment on the 18th day of January, 2012, and supervision was continued under the existing conditions.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On February 7, 2012, the defendant reported to the probation office, with counsel, for the purpose of conducting an interview for the defendant's presentence report. During the interview, the defendant admitted using marijuana on February 5, 2012. The defendant suffers from congenital glaucoma and is legally blind in one eye with significant vision impairment in the other eye. According to the defendant, he chose to self medicate with marijuana as a means to alleviate the pressure in his eye caused by the glaucoma. Until the defendant volunteered this information during his presentence interview, he had been in compliance with the terms of his pretrial release. Rather than return to court for revocation proceedings, we are recommending the defendant's conditions of pretrial release be modified to include participation in a substance abuse treatment program as directed by the probation office, which will include random urinalysis testing, as well as refraining from the excessive use of alcohol. The defendant signed a waiver of hearing form agreeing to the proposed modification of his pretrial release conditions.

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PRAYING THAT THE COURT WILL ORDER

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall refrain from the excessive use of alcohol.

Reviewed and approved,

/s/Jeffrey L. Keller

Jeffrey L. Keller
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/Scott Plaster

Scott Plaster
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: February 7, 2012

ORDER OF COURT

Considered and ordered this 8th day of February, 2012, and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge